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Creek access behind construction site raises issues

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Recently, construction began on the site, and fencing was erected. Construction is expected to be completed around the end of 2025.

The Friends of the Creeks say that the fence is connected to an existing fence on the property occupied by the U.S. Post Office, and that this is effectively preventing them from irrigating riparian plants that they had planted along the creek.

Zarrin, who says that he supports the vision of the Friends, also says that the planting was done on his property without his consent. Fencing construction sites is necessary for public safety during construction. He added that the Friends had only talked about access to the property behind the gate, but had not

told him that the issue concerned water for plants. That being said, Zarrin was also concerned that the water was being taken from a federal agency for use on other privately owned properties.

Both the Friends and Zarrin report that there has had difficulty in communicating. Zarrin says that he was unaware of the riparian planting issue. However, he reports that "We've witnessed teenagers along the backside of our property and neighboring properties smoking, drinking, and leaving broken bottles behind," which is a safety concern. On Aug. 22, drug paraphernalia was found in the back corner of the site.

Orinda Assistant Planner Darin Hughes, who has taken an interest in the restoration of

San Pablo Creek, has been appealed to by the Friends, but says that the city plays no real role in the dispute because the property beside the creek is private property and the city does not hold any easements.

There has been confusion about whether or not the fence on the Post Office Parcel could be removed. The Friends say that the Postmaster agreed that it could, and the Property Owner says that they will support any decision by the Postmaster. Zarrin, according to Tom McKinnon of the Friends, says that the Postmaster told him that Paymun could use the post office site during construction. Unfortunately, the Postmaster was on vacation at the time of writing this story and could not be contacted.

However, Zarrin provided The Lamorinda Weekly with a copy of a letter sent to Hughes signed by himself and Ric Tolero, the Postmaster. The letter confirmed that no one had granted permission to remove the fence or grant access to the construction site, and cited reasons of public safety, liability, increased costs, and the need to carry out the construction quickly, safely, and effectively. Tolero signed the letter on June 14, based on new

information.

According to McKinnon, the Friends plan to contact the Postmaster, update him on the situation, and ask again if they have permission to remove the portion of the fence on the Post Office property. They expect that if this is done, the county building department would have to mandate Paymun to rebuild the fence on their own property.

Zarrin expressed to the Lamorinda Weekly that he has concerns

about the safety of some aspects of the Friends' efforts to restore the creek. For example, he cited a stairway he believes was constructed by the Friends. The stairway is connected to 25 Orinda Way, which is the building that currently houses Zarrin's business, Paymun Inc.

Hughes hopes that there can be amicable relationships between The Friends and the private property owners along the creek.

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Nominations for Orinda Citizen of the Year are now open until Oct. 1, 2024. Send nominations to OrindaFoundation@gmail.com. For more details, see the OrindaFoundation.org website. Nonprofit Grant Applications are being accepted from September 1 to Oct. 25, 2024. The application form and details are on the website: OrindaFoundation.org



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